UNITED
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GENERAL

S/1996/904
4 November 1996

ORIGINAL: ENGLISH

LETTER DATED 4 NOVEMBER 1996 FROM THE PERMANENT REPRESENTATIVE OF UGANDA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you in the annex herewith a document dated 1 November 1996, which the Government of the Republic of Uganda issued as a statement, concerning a statement by the Hon. Prime Minister of the Republic of Zaire, Mr. Kengo wa Dondo, in which it was alleged that Uganda was involved in the fighting going on in the Republic of Zaire.

The Government of the Republic of Uganda would be very grateful if you would have the present letter and its annex circulated as a Security Council document.

(Signed) Mathias Semakula KIWANUKA
Ambassador
Permanent Representative

Annex

Statement issued by the Ministry of Foreign Affairs of Uganda on 1 November 1996

The Government of Uganda takes this opportunity to state its position on the current problem in Zaire as follows:

(i) Uganda has offered to help solve this problem and the Government of Zaire is aware of this fact.

(ii) Uganda has assisted Zairians who have been displaced by the fighting by providing them with safe passage through Ugandan territory to places they consider safer than Zaire.

(iii) We are unreservedly willing to have observers come to Uganda to verify that we are not all involved in the internal conflict in Zaire as it is being alleged by the Prime Minister of Zaire.

(iv) Uganda, which has spearheaded efforts to resolve conflicts in the Great Lakes Region by peaceful means is very sorry to see these sad developments and is deeply concerned about this unwarranted accusation.

(v) Uganda calls upon all the parties involved in the current conflict in Zaire to desist from any actions that can lead to the further escalation of this conflict.

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4 November 1996

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LETTER DATED 4 NOVEMBER 1996 FROM THE PERMANENT REPRESENTATIVE OF ITALY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you a press statement issued by the Ministry of Foreign Affairs of Italy on 3 November 1996, concerning the situation in eastern Zaire.

I would be grateful if you could have the text of the press release circulated as a document of the Security Council.

(Signed) F. Paolo FULCI
Ambassador

96-30293 (E) 041196

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Annex

Press statement issued on 3 November 1996 by the Ministry of Foreign Affairs of Italy

Rome, 3 November 1996 - The Italian Government's operations in relation to the crisis in eastern Zaire are fully under way after the Foreign Ministry evacuated from Kivu all last week hundreds of Italian and European citizens, also bringing to safety 30 Zairian clerics whose lives were endangered by reprisals from Tutsi rebels.

The Ministry's action, according to instructions given by Foreign Minister Dini, is threefold:

- The protection of Italians and other Europeans situated in Kivu;

- The promotion of a political initiative at the African level to initiate negotiations between Zaire and its neighbours, particularly Rwanda;

- The creation of the conditions needed for the delivery of food, medicine and clothing to more than 700,000 refugees amassed in refugee camps on the Goma border with no other help, after the departure of the personnel of the Office of the United Nations High Commissioner for Refugees, except for a handful of missionaries and volunteers, primarily Italian, who continue to lend assistance with limited means and extraordinary self-sacrifice.

The airlift organized by the Ministry's crisis unit made it possible last week to bring to safety 217 people, including 65 Italians and 30 Zairian missionaries. The evacuees included 20 German citizens, 12 French, 14 Belgians and 9 Spaniards. Foreign Minister Kinkel of Germany expressed to Minister Dini his deep appreciation of the Italian action, which was conducted with the greatest possible discretion to take advantage of the limited hours during which the Kivu airport was open during the crisis. The Ambassador of France to Rome also made a similar démarche to the Ministry.

Yesterday the Italian Foreign Ministry evacuated by land 37 people from Bukavu towards Kigali, the capital of Rwanda. The evacuees included 8 Italian missionaries, 20 Belgians, 5 Spaniards, 2 Frenchmen and some citizens of the Netherlands and Switzerland.

In reality, the Foreign Ministry had already begun to take the necessary precautions at the end of September, when the crisis unit urged the missionary orders to reduce their presence in Kivu. The first evacuation was actually on 15 October when five Dorothean sisters were evacuated from Bukavu.

On the political level, the Italian Government strongly supported the initiative of the President of Kenya, Arap Moi, to convene in Nairobi a high-level meeting of the Heads of Government of the seven countries that make up the Great Lakes region, in direct contact with other European partners.

Minister Dini gave instructions to Italian diplomats in Kinshasa and Kigali to urge the Government to which they were accredited to accept the Kenyan mediation initiative and the attempts under way by the Organization of African Unity (OAU) and European Union special representative Aldo Ajello to declare a ceasefire that would make it possible to implement short-term humanitarian relief operations to meet the desperate conditions of the refugees in Goma.

This morning the Ambassador to Addis Ababa was once again asked to contact OAU Secretary-General Salim. Today there was also a telephone conversation between Minister Dini and Salim, who confirmed that he would be coming to Rome on Thursday for the World Food Summit.

For a few days now an Italian cooperation airplane has been on standby to bring medicine, food and clothing to Goma for the refugees, according to the indications provided by our embassies and humanitarian organizations in the field. The flight has not yet been made because of the closing of the Goma airport and the armed conflict under way until yesterday on the border between Zaire and Rwanda.

Minister Dini gave instructions to the Italian ambassadors accredited to Kigali and Kinshasa to request the consent of the respective Governments for the creation of a humanitarian corridor that would allow the delivery of relief supplies to Goma. Dini is in contact with European Union Commissioner Emma Bonino, who proposed the establishment of a corridor protected by African military forces. Once the necessary consent is granted, an Italian airplane will reach Goma in a few hours.

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4 November 1996

ORIGINAL: ENGLISH

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the Security Council the attached communication, dated 31 October 1996, which he has received from the Director General of the International Atomic Energy Agency (IAEA), Dr. Hans Blix.

96-30355 (E) 051196

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Annex

Letter dated 31 October 1996 from the Director General of the International Atomic Energy Agency (IAEA) addressed to the Secretary-General

The Acting Director General wrote to you on 2 May 1996 about the then most recent developments in safeguards implementation in the Democratic People's Republic of Korea. I should now like to bring you up to date with subsequent developments. I enclose a copy of my written report (GC(40)/16 of 20 August 1996) about the Democratic People's Republic of Korea to the fortieth regular session of the General Conference of IAEA and attach a copy of resolution GC(40)/RES/4, which the General Conference adopted on 20 September 1996.

The Acting Director General's letter of 2 May and the accompanying report referred, inter alia, to the fourth round of technical discussions, between representatives of the Democratic People's Republic of Korea and an Agency technical team. This round had taken place in Pyongyang from 23 to 29 January 1996 and had resulted in limited progress in some areas. On the other hand, the Democratic People's Republic of Korea had continued to decline a number of important inspection measures. Neither had there been any agreement on proposals in an Agency paper, given to the Democratic People's Republic of Korea in September 1995, about the preservation of information required to verify the correctness and completeness of the Democratic People's Republic of Korea's initial declaration under its safeguards agreement nor about the timing of the next technical meeting at which that paper could be discussed further. The Agency team reiterated that unless there were early agreement with the Democratic People's Republic of Korea on the measures required to preserve the information, any possibility for the Agency to verify the correctness and completeness of the Democratic People's Republic of Korea's initial declaration in the future might be lost.

The fifth round of technical talks took place in Pyongyang from 25 to 28 June. As in the case of the January talks, they resulted in some progress in some areas. However, the Democratic People's Republic of Korea still did not accept some important verification measures including the installation of monitoring equipment to allow the monitoring of nuclear waste tanks and measuring or taking samples at locations in the Radiochemical Laboratory selected by IAEA.

Although there was some discussion in June about the Agency paper on the preservation of information, the Democratic People's Republic of Korea commented, inter alia, that IAEA proposals on the preservation of information should be linked to progress in the implementation of the Agreed Framework. Verification of the correctness and completeness of the initial declaration of the Democratic People's Republic of Korea's nuclear material was to be carried out following consultations between the Democratic People's Republic of Korea and IAEA when a significant portion of the Light Water Reactor project foreseen in the "Agreed Framework" was completed, but prior to the delivery of key nuclear components. Representatives of the Democratic People's Republic of

Korea said also that although it was ready to discuss verification measures at facilities both subject to and not subject to the freeze, issues related to "other" facilities would be discussed only when "the time comes". The Agency team made clear, inter alia, that information about "other" facilities, e.g., nuclear waste sites and a pilot plant at which the first core of the 5 MWe reactor had been manufactured, is crucial to verifying the correctness and completeness of the Democratic People's Republic of Korea's initial declaration. Thus, the data required had to be preserved urgently in their entirety.

On the more positive side, the Democratic People's Republic of Korea agreed to measures to improve Agency communications from the Democratic People's Republic of Korea and to accept the designation of more inspectors.

In the light of the information contained in document GC(40)/16, the fortieth regular session of the Conference adopted resolution GC(40)/RES/4. In that resolution, the General Conference, inter alia, expressed its concern over the continuing non-compliance of the Democratic People's Republic of Korea with its safeguards agreement, called upon the Democratic People's Republic of Korea to comply fully with that agreement and urged it to take all steps the Agency might deem necessary to preserve all information relevant to verifying the accuracy and completeness of the Democratic People's Republic of Korea's initial declaration.

A sixth round of technical talks took place between the Democratic People's Republic of Korea and an Agency team at Agency headquarters in Vienna from 23 to 27 September 1996. No progress was made on any of the key technical issues outstanding, particularly the important issue of the preservation of information relevant to verifying the accuracy and completeness of the Democratic People's Republic of Korea's initial declaration. There was tentative agreement that a further round of talks should be held in January 1997 in Pyongyang.

I should be grateful if you would bring the present letter and its enclosures to the attention of the Security Council, to which I will continue to report further developments.

(Signed) Hans BLIX

Enclosure

Implementation of the agreement between the Agency and the Democratic People's Republic of Korea for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons*

Report by the Director General to the General Conference

1. In resolution GC(39)/RES/3 of 22 September 1995, the General Conference, inter alia, decided:

> "to include in the agenda for its fortieth regular session an item entitled 'Implementation of the agreement between the Agency and the Democratic People's Republic of Korea for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons'".

This report is designed to provide information to the General Conference in its consideration of this item of its agenda.

THE SITUATION PREVAILING WITH REGARD TO SAFEGUARDS IMPLEMENTATION IN THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA AT THE TIME OF THE THIRTY-NINTH REGULAR SESSION OF THE GENERAL CONFERENCE

2. The Director General's report to the General Conference in 1995 in document GC(39)/18 of 17 August 1995 gave the background to the developments which had taken place during the previous year in safeguards implementation in the Democratic People's Republic of Korea pursuant to the Democratic People's Republic of Korea's safeguards agreement with the Agency (INFCIRC/403) and described those developments. They included the Board of Governors' authorization to the Director General, on 11 November 1994, to carry out the tasks which the United Nations Security Council had asked the Agency to undertake in the light of the "Agreed Framework" (see annex I);** the discussions which subsequently took place between an Agency technical team and representatives of the Democratic People's Republic of Korea; the visit to the Democratic People's Republic of Korea by an International Atomic Energy Agency technical team in November 1994, and the later visit by the team in January 1995.

3. The report last year referred to the further technical discussions between the Agency and the Democratic People's Republic of Korea scheduled for April 1995, but which had not taken place. This was because the Democratic People's Republic of Korea had informed the Agency that it continued to regard the IAEA activities in its country as being directly related to the implementation of the "Agreed Framework", and took the view that, when negotiations between the United States and the Democratic People's Republic of

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* Originally circulated under the symbol GC(40)16 and Corr.1.

** Not reproduced in the present document.

Korea were at stalemate over aspects of the "Agreed Framework", there was little point in further technical discussions with the Agency. Notwithstanding, the Director General was subsequently able to inform last year's General Conference that further technical discussions between the IAEA team and the Democratic People's Republic of Korea had taken place in September 1995, following United States/Democratic People's Republic of Korea bilateral discussions. Limited progress had been made on some issues.

4. In the light of this and of the Director General's report in document GC(39)18, the General Conference adopted resolution GC(39)/RES/3. By that resolution, the General Conference, inter alia, endorsed the actions and commended the efforts taken by the Secretariat to implement the safeguards agreement and to monitor the freeze in the Democratic People's Republic of Korea; expressed concern over the continuing non-compliance of the Democratic People's Republic of Korea with its safeguards agreement; and urged it to cooperate fully with the Agency in the implementation of that agreement.

DEVELOPMENTS OVER SAFEGUARDS IMPLEMENTATION IN THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA SINCE THE THIRTY-NINTH REGULAR SESSION OF THE GENERAL CONFERENCE

5. At the post-General Conference meeting of the Agency Board of Governors on 25 September 1995, the Director General reported on the talks held in the Democratic People's Republic of Korea from 12 to 18 September 1995. He explained that although the Democratic People's Republic of Korea had agreed to measurements of irradiated fuel rods in storage at the 5 MWe experimental reactor which would verify whether the rods were all irradiated fuel, it had not agreed to measures which would give information about the total amount of plutonium in the spent fuel. As a result, the information required about that plutonium would have to be obtained through measurements, with some limitations in accuracy, to be made at a much later date and could require opening the storage containers at significant additional cost. The Board of Governors was reminded that the Agency had envisaged taking the required measurements during the transfer of the spent fuel into containers for storage.

6. The Director General said that no agreement had been reached about installing additional Agency monitoring equipment at nuclear waste tanks in the Democratic People's Republic of Korea's reprocessing plant, to enable the Agency to verify, on a continuous basis, the absence of any movement or operation involving those wastes. On the other hand, some implementation measures which had been agreed in January 1995 with the Democratic People's Republic of Korea but not yet applied because of objections by the operator (e.g., photographing of the new process line of the reprocessing plant by inspectors) would now be implemented as soon as possible. The Director General also told the Board that a detailed technical paper on the subject of the preservation of information, which had been given to representatives of the Democratic People's Republic of Korea at the beginning of the talks, had not been discussed; the Democratic People's Republic of Korea intended to study the paper and discuss it with the Agency at a future meeting. The paper describes the information that the Democratic People's Republic of Korea needs to preserve (and which the Agency requires) in connection with verifying the correctness and completeness of the Democratic People's Republic of Korea's initial report.

7. At the meeting of the Board of Governors on 12 December 1995, the Director General said that in September 1995 the Agency had asked the Democratic People's Republic of Korea to undertake minor but essential modifications to the design of the storage racks for the cans to contain spent fuel discharged from its experimental reactor. This was to allow the cans to be sealed effectively in the racks under water. The modifications requested would not cause delay in the canning operations, the timetable for which appeared to have slipped because of technical difficulties. The Director General also said that, despite the agreement reached with the Democratic People's Republic of Korea about photographing the new process line and other areas of the Radiochemical Laboratory, Democratic People's Republic of Korea operators had raised fresh objections and the photographing had still not been possible. The Agency's technical paper about the preservation of information was also on the agenda for the next technical meeting planned for January 1996.

8. In his report to the Board of Governors for its March 1996 meeting (GOV/2687/Add.11), the Director General reported that a fourth round of technical discussions had taken place in Pyongyang from 23 to 29 January 1996. Although discussion had resulted in limited progress in some areas, the Democratic People's Republic of Korea had continued to decline a number of important measures. Thus, the Democratic People's Republic of Korea had said that the Agency could now "resume ad hoc and routine inspections" (required by the safeguards agreement) but had made clear that such inspections would be permitted only at facilities not subject to the freeze.

9. During the January talks, there was reconfirmation of agreement on Agency inspectors continuing baseline photographing at all facilities subject to the freeze. Reconfirmed too was that the Democratic People's Republic of Korea would provide (as the freeze requires) advance notice to Agency inspectors about any maintenance work involving facilities and equipment. Also reconfirmed was that short notice inspections and visits by Agency inspectors already in the Democratic People's Republic of Korea would continue to take place at different parts of facilities subject to the freeze. This was as an interim measure, until agreement was reached about installing containment and surveillance and other monitoring devices (e.g., at certain parts of the Radiochemical Laboratory). Additionally, to help obviate delays in issuing visas for Agency inspectors, it was agreed that the Agency would give inspector notifications two weeks in advance so as to facilitate the timely issue of visas in Vienna.

10. The report in document GOV/2687/Add.11 recorded that the technical talks of January 1996 had also involved a detailed discussion about inspection activities to be carried out at specific locations. The report also covered other issues addressed, especially the preservation of information required to verify the correctness and completeness of the Democratic People's Republic of Korea's initial declaration under its safeguards agreement.

11. In that regard, the report said that no agreement could be reached in January 1996 about the proposals in the Agency's technical paper. Agency representatives had reiterated that in the absence of early agreement on the measures required, any possibility for the Agency to verify the correctness and completeness of the Democratic People's Republic of Korea's initial declaration in the future might be lost. The report also said that a fifth round of

technical discussions between the Agency and the Democratic People's Republic of Korea had been planned for the second half of May 1996.

12. In his introductory statement to the June 1996 meeting of the Board of Governors, the Director General said that "because of unforeseen reason", the Democratic People's Republic of Korea had had to postpone the fifth round of technical discussions from May until mid-June. The Agency had proposed that the discussions focus on the need for early implementation of measures for the preservation of the information required in connection with the verification of the correctness and completeness of the Democratic People's Republic of Korea's initial declaration. The consultations would also cover issues related to safeguards implementation in the Democratic People's Republic of Korea, including the installation of monitoring equipment at nuclear waste tanks in the reprocessing plant and monitoring the freeze. The Director General reminded the Board that the Agency maintains a continuous inspector presence in the Nyongbyon area, and also said that canning of the spent fuel rods at the 5 MWe reactor had started at the end of April 1996. Agency inspectors were performing verification of the rods by measurements which, however, did not provide any information about the total amount of plutonium contained in the irradiated fuel.

13. Details of the sealing arrangements for the containers with spent fuel rods had not yet been agreed. Progress in canning was slow and the completion of the operation could be expected only by the beginning of 1997. Until then, three to four Agency inspectors would need to be stationed in the Nyongbyon area to cover all the required activities. This would increase the financial burden resulting from the Agency's work in the Democratic People's Republic of Korea.

14. The fifth round of technical discussions between IAEA and Democratic People's Republic of Korea representatives took place from 25 to 28 June 1996. Discussions resulted in some progress in certain areas but the Democratic People's Republic of Korea still did not accept some important measures.

15. There was discussion about a paper from IAEA on the status of Agency activities performed in the Democratic People's Republic of Korea. This included clarification about issues regarding the implementation of the activities, agreement on procedures for short-notice inspections and visits and activities related to the canning operations. The June 1996 technical meeting did not result in agreement about the long-standing issue of reports by the Democratic People's Republic of Korea on facilities subject to the freeze, or on installing monitoring equipment to allow the monitoring of nuclear waste tanks. Neither was there agreement about measuring or taking samples at locations in the Radiochemical Laboratory selected by IAEA. As for monitoring the graphite blocks and other nuclear-related equipment and components for the 50 MWe and 200 MWe reactors under construction at the inception of the freeze, the Democratic People's Republic of Korea reiterated that manufacturing such equipment and components had been discontinued in 1993. The two sides agreed that this subject would again be addressed during the next technical meeting, after appropriate consultations.

16. During discussion about the Agency paper on the preservation of information, the Democratic People's Republic of Korea made the following comments:

- The Agency should not make excessive requirements even in the light of the contents of the United States/Democratic People's Republic of Korea Agreed Framework;

- IAEA proposals on the preservation of information should be linked to progress in the implementation of the Agreed Framework;

- Verification of the correctness and completeness of the initial declaration of the Democratic People's Republic of Korea's nuclear material is to be carried out following consultations between IAEA and the Democratic People's Republic of Korea when a significant portion of the Light Water Reactor project is completed, but prior to the delivery of key, nuclear-related components;

- The Democratic People's Republic of Korea is now ready to discuss verification measures at facilities both subject to and not subject to the freeze. However, issues related to "other" facilities would be discussed when "the time comes";

- The monitoring activities which the Agency is currently undertaking at Democratic People's Republic of Korea facilities both subject to and not subject to the freeze are important for the preservation of information. Additionally, a lot of information has previously been provided to the Agency.

17. During the discussions, the Agency team pointed out that the requirements in the Agency paper applied to all comprehensive safeguards agreements. The team also made clear that crucial to verifying the correctness and completeness of the Democratic People's Republic of Korea's initial declaration is information about the "other" facilities, such as nuclear waste sites and a pilot plant at which the first core of the 5 MWe reactor had been manufactured and which, the Democratic People's Republic of Korea said, had been dismantled. The Agency could not agree to the Democratic People's Republic of Korea's intention to split provision of the information into two parts. The data required needed to be preserved urgently and in their entirety.

18. The Democratic People's Republic of Korea presented a paper dated 27 June 1996 on "Preservation of information relevant to verification of the correctness and completeness of initial declaration". Providing the paper which, to a limited degree, incorporates measures contained in the Agency paper on the same subject, is a step in the right direction. However, the Democratic People's Republic of Korea paper does not include any proposal for implementing the measures required. Moreover, it includes only limited information about facilities subject to and not subject to the freeze, and does not cover "other" facilities and locations. Further discussions will take place during the next technical meeting. This was tentatively scheduled and later confirmed to take place in Vienna in September 1996.

19. In the light of increased technical activities, the Democratic People's Republic of Korea agreed to take the measures necessary to improve communications from the Democratic People's Republic of Korea. It also agreed to designate nine more Agency inspectors.

Appendix

IMPLEMENTATION OF THE AGREEMENT BETWEEN THE AGENCY AND THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA FOR THE APPLICATION OF SAFEGUARDS IN CONNECTION WITH THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Resolution GC(40)/RES/4 adopted on 20 September 1996 during the tenth plenary meeting

Implementation of the agreement between the Agency and the Democratic People's Republic of Korea for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons

The General Conference,

(a) Recalling the Board of Governors' resolutions GOV/2436 of 25 February 1993, GOV/2639 of 18 March 1993, GOV/2645 of 1 April 1993, GOV/2692 of 23 September 1993, GOV/2711 of 21 March 1994 and GOV/2742 of 10 June 1994 and General Conference resolutions GC(XXXVII)/RES/624 of 1 October 1993, GC(XXXVIII)/RES/16 of 23 September 1994 and GC(39)/RES/3 of 22 September 1995,

(b) Noting the Director General's report contained in document GC(40)/16 and Corr.1,

(c) Recalling further resolution 825 (1993) adopted by the Security Council of the United Nations on 11 May 1993 and the 31 March 1994, 30 May 1994 and 4 November 1994 statements by the President of the United Nations Security Council, particularly the request to take all steps the Agency may deem necessary to verify full compliance by the Democratic People's Republic of Korea (DPRK) with its safeguards agreement with the Agency,

(d) Noting that the DPRK has decided to remain a party to the Treaty on the Non-Proliferation of Nuclear Weapons and reaffirming that the IAEA-DPRK safeguards agreement (INFCIRC/403) under the Treaty remains binding and in force,

(e) Noting also the stated intention of the DPRK to come into full compliance with the safeguards agreement and the continuing IAEA-DPRK discussions of outstanding safeguards issues,

(f) Noting with regret that the progress in these discussions has been limited, and

(g) Regretting the withdrawal of the DPRK from the Agency and expressing the hope that the DPRK will rejoin,

1. Strongly endorses the actions taken by the Board of Governors and commends the Director General and the Secretariat for their impartial efforts to implement the IAEA-DPRK safeguards agreement;

2. Commends the Secretariat for its efforts to monitor the freeze of specified facilities in the DPRK as requested by the United Nations Security Council;

3. Expresses concern over the continuing non-compliance of the DPRK with the IAEA-DPRK safeguards agreement and calls upon the DPRK to comply fully with that safeguards agreement;

4. Urges the DPRK to cooperate fully with the Agency in the implementation of the safeguards agreement and to take all steps the Agency may deem necessary to preserve all information relevant to verifying the accuracy and completeness of the DPRK's initial report on the inventory of nuclear material subject to safeguards until the DPRK comes into full compliance with its safeguards agreement; and

5. Decides to include in the agenda for its forty-first regular session an item entitled "Implementation of the agreement between the Agency and the Democratic People's Republic of Korea for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons".

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LETTER DATED 3 NOVEMBER 1996 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that, at 1100 hours on 17 October 1996, the American frigate Garrett, bearing number 23, contacted the master of the Iraqi fishing vessel Diyala while it was fishing in Iraqi territorial waters near Mina' al-Bakr and Mina' al-Amiq and ordered him to bring in the fishing net and head out to sea beyond territorial waters. The frigate then requested the vessel to provide details of the number of its crew members, its tonnage and the port from which it had sailed, as well as to open all the hatches of the vessel and assemble the crew at the stern. A rubber dinghy then set off, carrying on board 15 armed American servicemen and three civilians, who boarded and deployed throughout the vessel, while three servicemen held the crew at gunpoint at the stern. The crew was taken below and the servicemen continued to search the vessel. At 1330 hours on the same day, the search operation ended and the vessel was permitted to return to Iraqi territorial waters, nothing in contravention of Security Council resolution having been found aboard.

I request your intervention with the Government of the United States with a view to halting and preventing any repetition of these hostile acts against Iraqi civilian vessels. Such actions constitute a flagrant infringement of the inviolability and sovereignty of the Republic of Iraq, being actions in violation of the Charter of the United Nations and the provisions of international law that are carried out by American warships without justification with the aim of creating tension and instability in the region.

I also reaffirm the legally established right of the Republic of Iraq to receive compensation for the damage caused to its property as a result of such acts, in accordance with the principles of international responsibility.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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LETTER DATED 2 NOVEMBER 1996 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I should like to inform you that United States, British and French aircraft continued to violate Iraqi airspace and carry out acts of reconnaissance and provocation over the period from 15 to 31 October 1996, as set forth in the list annexed hereto.

You are requested to intervene with the States concerned with a view to halting such acts, which, being flagrant violations of the Charter of the United Nations and the provisions of international law, threaten the sovereignty and territorial integrity of the Republic of Iraq.

These acts continue to alarm the civilian population and to cause material damage to private and public property. The Republic of Iraq asserts its right to seek legal compensation for the damage inflicted on the people and the Republic of Iraq as a result of such acts.

I should be grateful if you would have this letter and its annex, the list of violations of Iraqi airspace, circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

Details of violations and consequential damage over the period from 15 to 31 October 1996

1. In the northern region, 50 sorties were flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres over the following Iraqi cities and towns: Mosul, Irbil, Dohuk, Tall Afar, Aqrah, Amadiyah, Zakho, Ayn Zalah, Kuysanjaq, Shaqlawah and Dukan.

2. In the southern region, 1,050 sorties were flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres over the following Iraqi villages and towns: Nasiriyah, Samawah, Amarah, Qurnah, Artawi, Chabaish, Chalabiyah, Salman, Shatrah, Lasaf, Najaf, Qal'at Salih, Ushbayjah, south of Shaykh Sa'd, Ali al-Sharqi, Diwaniyah, Busayyah, Suq al-Shuyukh, Taqtaqanah, Shinafiyah, Rifa'i, Kut, Ali al-Gharbi, Hayy, Qal'at Sukkar, Jabal Sinam, Safwan, south of Hillah, Nukhayb, south of Najaf and Amghar.

3. On 17 occasions, United States TR-1 reconnaissance aircraft, flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres, violated the Republic of Iraq's airspace in the southern region before leaving in the direction of Kuwait.

4. At 1252 hours on 23 October 1996, a hostile United States formation consisting of two aircraft broke the sound barrier over the city of Basrah.

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4 November 1996

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GENERAL ASSEMBLY
Fifty-first session
Agenda item 39
THE SITUATION IN AFGHANISTAN
AND ITS IMPLICATIONS FOR
INTERNATIONAL PEACE AND
SECURITY

SECURITY COUNCIL
Fifty-first year

Identical letters dated 4 November 1996 from the Acting Foreign Minister of Afghanistan addressed to the Secretary-General and the President of the Security Council

Further to my letter dated 18 October 1996 (A/51/527-S/1996/863), I have the honour to bring the following to your urgent attention:

The Islamic State of Afghanistan, since the beginning of the conflict in the capital, Kabul, and some other provinces in the country in 1994, has sent numerous communications to you on one of the main causes behind the continuation of conflict in Afghanistan, virtually all of which, upon the request of the Government of Afghanistan, have been circulated as official documents of either the Security Council or the General Assembly.

It is noteworthy that the common notion in these letters has all along been a sharp focus on the intervention of Pakistani circles, especially the Inter-Service Intelligence (ISI), and its direct involvement in the conflict in Afghanistan, which the United Nations is yet to identify expressly. This dereliction was justified by some United Nations authorities merely by stipulating a "lack of hard evidence". This observation proved to be utterly counter-productive to the efforts of the United Nations to bring the Pakistani intervention to a halt. Continued reports made by the Islamic State of Afghanistan of having in its custody many captured Pakistani elements did not find support in the United Nations. Further, a similar response met requests to send a fact-finding mission to Afghanistan to investigate reports regarding the Pakistani intervention.

However, the recent, unanimously adopted, Security Council resolution 1076 (1996) of 22 October 1996, in which the Council for the first time referred, in its paragraph 3, to the "involvement of foreign military personnel" in Afghanistan, has won satisfaction and appreciation throughout the world.

Today, the preceding description is a major disclosure in a long-standing mystery. For the first time, the Islamic State of Afghanistan can point to the coming to light of "hard evidence" of the actual and physical involvement of armed Pakistani soldiers captured after the recent onslaught of the Taliban on the capital, Kabul. An independent journalist, Edward Barnes, after travelling to Panjshir Valley, interviewed captured Pakistani soldiers in a prison. This interview, which is published along with photographic evidences in Time magazine of 4 November 1996 (see annex), indicates, inter alia, that from among 26 captured Pakistanis, 2 Pakistani captured soldiers were interviewed. Khalid Mohammad Zai, 22, one of the two, who described himself as a member of a Pakistan Islamic paramilitary unit based in Kulty Chawni in Pakistan's Punjab province, says that "his unit was under the control of ISI", Pakistan's military intelligence, and his mission, as it was explained to him and 1,000 other Pakistani fighters who entered Afghanistan during the past two months, was to "go as a fighter and rise to a high position of influence". According to Khalid Mohammad Zai, "he was transported across the border by Pakistani military vehicles and, once in Kabul, received orders and money from 13 senior Pakistani officers in Kabul on 27 September 1996". He says that he was captured on 13 October 1996 near the Salang Pass.

There are scores of reliable reports that the Taliban prevents foreign correspondents from visiting the Taliban's front lines around Kabul. Our knowledge is that it is all done for fear that Pakistani-brand military hardware deployed by Pakistanis fighting against the government forces will be unveiled.

On behalf of the victimized Afghan nation, whose outcry is long due to be heard, I submit the above "hard evidence" through you to the United Nations as a beacon of hope of the small oppressed and suffering members of this global family and earnestly expect the following:

1. On the basis of the inquiries and reports of independent correspondents with regard to the existence of the direct military involvement of Pakistan in Afghanistan, and in accordance with the findings of the United Nations Special Mission to Afghanistan, mandated by the Security Council in paragraph 13 of its resolution 1076 (1996) to report on the political, military and humanitarian situation in Afghanistan, the Council has to determine whether there was a breach of the peace and an act of aggression committed by Pakistan against Afghanistan and to decide upon measures to be taken against the aggressor, in conformity with the provision of Chapter VII, Article 39, of the Charter of the United Nations.

2. To achieve the above, Dr. Norbert Holl, head of the United Nations Special Mission on Afghanistan, is expected to inspect the area promptly and to include in his report to the Security Council and to the General Assembly his inquiries and findings regarding the Pakistani military personnel captured by armed forces of the Islamic State of Afghanistan, which is a turning point in

the identification of the actual cause of the continuation of conflict in Afghanistan.

The Islamic State of Afghanistan is of the conviction that the above would result in disclosing a factor that has constituted a major element behind the continuation of the conflict and bloodshed in the country and that has been an obstacle to the efforts of the United Nations and the Organization of the Islamic Conference to bring peace and complete stability to war-ravaged Afghanistan.

The above reality, in the meantime, proves the fact that the Taliban militia group has captured the capital, Kabul, and in earlier times, some other provinces, through the direct military involvement of Pakistan. The Taliban, therefore, according to internationally accepted norms, should have no recognized identity other than as a mercenary group and a product of foreign intervention and should therefore not be treated in a manner that would give it the impression that it has been tolerated by the world community.

I would also like to bring to your attention that the Taliban mercenaries have no representative character. They are confronting a mass movement of resistance in the country. However, the Taliban's different personalities have continuously expressed their rejectionist views towards the United Nations peace process. No Government of the Taliban exists. The declarations of some of its personalities are denied, or at least not confirmed, by the other Taliban.

In addition to the massive and systematic violation of human rights by the Taliban, especially women's right, many of its personalities have rejected outright the principles of democracy, including free election, as being against their ideology (see Al-Mujallah, Arabic magazine, dated 16 October 1996).

I should be grateful if you would have the text of the present letter and its annex circulated as an official document of the General Assembly, under agenda item 39, and of the Security Council.

I wish to express my gratitude for your utmost desire for the restoration of complete peace and stability in Afghanistan.

(Signed) Abdul Rahim GHAFOORZAI
Acting Foreign Minister

A/51/654
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English
Page 4

ANNEX

Article published in Time on 4 November 1996

WORLD

Friends of the Taliban

As fighting nears Kabul, two POWs tell TIME that Pakistan sent soldiers to help the extreme Islamists

By EDWARD BARNES PANJSHIR VALLEY

THE 26 MEN SIT IN GRIM ISOLATION, huddled in a darkened cell of a former Soviet-built prison deep in northern Afghanistan's Panjshir Valley. They are sequestered from nearly 600 other prisoners, but even if they were allowed to mingle, they would still stand apart. The style of their clothes, the color of their skin, their very language mark them as outsiders. They are not Afghans. They are Pakistanis, captured while fighting against the forces of the Afghan government that was driven from the capital five weeks ago by the group of Islamic fighters known as the Taliban. The presence of these foreign supporters of the Taliban, claim officials at the prison, is hard proof that Pakistan, a U.S. ally, has arrogated for itself a more extensive role in Afghanistan's war than has ever been acknowledged.

IN JAIL: Pakistanis Zahid, left, and Zai acknowledged their mission

Even before the Taliban's victorious drive on Kabul, the ousted government had long insisted that the student-led band of Muslim warriors were actively backed by Pakistan's Inter-Services Intelligence Agency (ISI) and by some members of the country's powerful military. The motive: gaining some influence over a neighbor with whom it shares a long and exceedingly porous border. Prime Minister Benazir Bhutto has denied any involvement, but in late September, Naseerullah Babar, Pakistan's Interior Minister, flew to Afghanistan to work out a settlement between the Taliban and the most powerful of the Afghan warlords. While that seemed to support suspicions, the stories told by several of the prisoners in the Panjshir, if true, would constitute the first direct evidence that Islamabad's involvement with the war-riven nation to the west extends to recruiting Pakistanis and paying them to fight alongside the Taliban.

Khalid Mohammed Zai, 22, was a member of an Islamic paramilitary unit, based in Kulty Chawni in Pakistan's Punjab province. He says his unit was under the control of the ISI, and his mission, as it was explained to him and 1,000 other Pakistani fighters he says entered Afghanistan during the past two months, was to "go as a fighter and rise to a high position of influence." He was transported across the border by Pakistani military vehicles and, once in Kabul, received orders and money from the senior Pakistani officer in Kabul, a man named Naser. Zai was in the forefront of the Taliban troops who swept into Kabul on Sept. 27 and pushed the armies of Ahmad Shah Massoud, the former government's army commander, into the hills surrounding the capital. Zai was captured Oct. 13 near the Salang Pass, the high-water mark of the Taliban effort to drive Massoud's forces from the region. The campaign turned disastrous when Massoud retreated until the Taliban had stretched their lines dangerously thin. Then the Lion of Panjshir turned and abruptly struck at their flanks, a tactic he had used many times against the Soviets.

The momentum of this counterattack carried Massoud's forces through the village of Charikar, where Mohammed Zahid Pashtun, 26, another Pakistani fighter, was stationed. A devout Muslim and former engineering student, Zahid says he signed up for combat duty with a Pakistani intelligence officer and was given 40 days of training. He eventually reached Charikar, where Afghan civilians, who initially welcomed the Taliban, revolted after just 11 days of repressive rule, outraged by a draconian regime that bars women from working outside the home. Also outlawed are movies, music and chess. Captured, he now says he regrets his role. "I heard and saw how the Taliban treated people. If I get home again, I will tell people that the Taliban are not true Islam."

While Massoud is eager to drive them out, the Taliban have sworn they will not leave Kabul. Massoud, an ethnic Tajik, is aided by the Taliban's plummeting popularity, but the key to his offensive is his tenuous alliance with Abdul Rashid Dostum, a powerful Uzbek warlord, who is with Massoud's forces battling the Taliban near Kabul. The tribal nature of the conflict has always complicated the fighting. Last week the Taliban, mostly ethnic Pashtun, were going house to house in Kabul in search of Tajiks and Uzbeks. Pakistan's meddling can only worsen the hostilities, and the lines of refugees will stretch deep into the winter. —*With reporting by Meenakshi Ganguly/New Delhi and Lewis M. Simons/Washington*

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Security Council

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S/1996/910
5 November 1996
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 1 NOVEMBER 1996 FROM THE PERMANENT REPRESENTATIVE OF BURUNDI TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith a communication from the Government of Burundi formally proposing that the Security Council set up an international criminal tribunal to punish the crimes of genocide perpetrated in Burundi.

In this connection, the Government of Burundi also requests, through you, direct proof and circumstantial evidence from the International Commission of Inquiry concerning the assassination of President Melchior Ndadaye, which was "planned beforehand", and concerning the "acts of genocide against the Tutsi minority", as well as material and financial assistance from the United Nations to strengthen the capacity of the Ministry of Justice, which will play a fundamental role in the planned judicial process.

I should be grateful if you would have the text of this letter and of the annex thereto circulated as an official document of the Security Council.

(Signed) Nsanze TERENCE
Ambassador
Permanent Representative

Annex

Letter dated 23 October 1996 from the Minister for Foreign Affairs and Cooperation of Burundi addressed to the Secretary-General

I have the honour, in connection with the report of the United Nations Commission of Inquiry for Burundi (S/1996/682) submitted by the members of the Commission on 23 July 1996 and made public on 25 July 1996, to express both to you and to the Security Council of the United Nations the gratitude of the Government of Burundi for your contribution to the fulfilment of the extremely important task of ensuring the success of the process of promoting peace and reconciliation undertaken by the new Government.

In connection with the practical arrangements for the implementation of the recommendations set out in the report, and with a view to taking judicial action in follow-up to the conclusions set out in the report, I should like by means of this letter to request your valuable assistance as follows:

Firstly, the Government of the Republic of Burundi wishes to request you to transmit to it all direct proof and circumstantial evidence available to the International Commission of Inquiry, in order to supplement national inquiries and thus shed as much light as possible on the assassination of President Ndadaye, which was "planned beforehand" (para. 213 of the report), and on the "acts of genocide against the Tutsi minority" that followed the assassination (para. 483 of the report);

Secondly, the Government of the Republic of Burundi wishes, through you, to bring the matter before the Security Council of the United Nations and to urge that an international criminal tribunal for Burundi be established to punish crimes of genocide perpetrated prior to and during 1993 and thereafter that have been characterized and recognized as such;

Thirdly, the Burundi Government believes that the judiciary of Burundi will play a fundamental role in the process of identifying the perpetrators and co-perpetrators of and those behind the acts of genocide and other crimes in question. It therefore wishes to take this opportunity to request the United Nations to provide material and financial assistance to strengthen the capacity of the Ministry of Justice.

(Signed) Luc RUKINGAMA
Minister for Foreign Affairs
and Cooperation

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GENERAL

S/1996/911
5 November 1996

ORIGINAL: ENGLISH

LETTER DATED 1 NOVEMBER 1996 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to Security Council resolution 1063 (1996) of 28 June 1996, by which the Council decided to establish a United Nations Support Mission in Haiti (UNSMIH), and to the letter of the President of the Security Council of 2 August 1996 (S/1996/619) confirming the composition of the military and police elements of UNSMIH.

Having completed the necessary consultations, I propose that the United States of America be added to the list of Member States contributing personnel to the police element of UNSMIH.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

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Security Council

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GENERAL

S/1996/912
5 November 1996

ORIGINAL: ENGLISH

LETTER DATED 5 NOVEMBER 1996 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 1 November 1996 (S/1996/911) concerning the addition to the police element of the United Nations Support Mission in Haiti (UNSMIH) has been brought to the attention of the members of the Security Council. They agree with the proposal contained therein.

(Signed) Nugroho WISNUMURTI
President of the Security Council

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5 November 1996

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE SITUATION CONCERNING WESTERN SAHARA

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1056 (1996) of 29 May 1996, which requested me to submit a comprehensive report by 10 November 1996. In that resolution, the Council endorsed my proposal that the identification process be suspended temporarily, with a concomitant reduction in the personnel of the United Nations Mission for the Referendum in Western Sahara (MINURSO), until such time as both parties, Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (POLISARIO), demonstrate the political will, cooperation and flexibility necessary to permit the resumption and early completion of identification in implementation of the settlement plan (S/21360 and S/22464). The Council also supported my proposal to reduce the military component of MINURSO by 20 per cent on the understanding that this would not impair its operational effectiveness in monitoring the ceasefire. It called upon the parties, as a demonstration of good will, to cooperate in the release of Saharan political prisoners and the exchange of prisoners of war on humanitarian grounds, as soon as possible.

2. Section II of the present report covers the discussions my Acting Special Representative, Mr. Erik Jensen, has had with the parties and the neighbouring countries; section III addresses the identification process and other aspects of the plan; section IV reports on the work of the military and civilian police components of MINURSO; section V covers the financial aspects; and section VI contains my observations.

II. MEETINGS WITH THE PARTIES AND NEIGHBOURING COUNTRIES

3. As indicated in my report of 20 August 1996 (S/1996/674), my proposal to maintain a political office to continue the dialogue with the parties and the neighbouring countries, in the context of the settlement plan, has been implemented. The political office is led by my Acting Special Representative, who has, in accordance with Security Council resolution 1056 (1996), worked intensively to facilitate any effort to help set the parties on a course towards an agreed formula for the resolution of their differences. In addition to

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supporting the Acting Special Representative, the political office assures permanent liaison with the Frente POLISARIO in Tindouf, assists in maintaining other contacts and provides general assistance to fact-finding missions to the Territory and the Tindouf area. It also monitors local, regional and international media and works with the Independent Jurist in the discharge of his mandate.

4. Following the adoption of resolution 1056 (1996), my Acting Special Representative travelled regularly between Rabat and the Tindouf area, striving to develop momentum in the exchange of views and proposals between the two sides. He met or spoke on the telephone with the Moroccan Minister of the Interior, Mr. Driss Basri, and the Frente POLISARIO Coordinator with MINURSO, Mr. Mustapha Bachir Sayed, almost every week. In October 1996, he also met in Algiers with the Minister of Foreign Affairs of Algeria, Mr. Ahmed Attaf, and in Nouakchott with the President of the Islamic Republic of Mauritania, Mr. Maaouiya Ould Sid' Ahmed Taya, and his Minister of Foreign Affairs, Mr. Lehmrabet Sidi Mahmoud Ould Cheikh Ahmed. The Acting Special Representative's discussions with all the above-mentioned parties focused on ways to overcome obstacles to the implementation of the settlement plan, especially those aspects highlighted by the Security Council. They also dealt with other measures that could contribute to building confidence.

5. In its resolution 1056 (1996), the Security Council reiterated that, for progress to be achieved, the two parties must have a vision of the post-referendum period. It supported my proposal, in the context of the settlement plan, to maintain a political office to continue the dialogue with the parties and the neighbouring countries and to facilitate any other effort that could help the parties on a course towards an agreed formula for the resolution of their differences. It is encouraging that on 10 October 1996, the Special Political and Decolonization (Fourth) Committee of the General Assembly was informed that contacts had taken place and would continue to take place and that those contacts would certainly not lose sight of the settlement plan, which governs the holding of the referendum.

6. The Government of Morocco and the Frente POLISARIO have reiterated their commitment to the settlement plan. They continue to respect the ceasefire and are hopeful that ways may be found to permit the resumption of identification, which they both wish to see completed, and full implementation of the plan. The Government of Algeria expresses its continuing support for MINURSO, endorses the settlement plan and underlines the responsibility of the United Nations, especially the Security Council, to ensure its implementation. The Government of Mauritania shares that view and believes a solution to the problem of Western Sahara to be crucial to the security and stability of the region.

III. IDENTIFICATION AND OTHER ASPECTS OF THE SETTLEMENT PLAN

Identification Commission

7. The positions of the Government of Morocco and the Frente POLISARIO regarding further identification remain irreconcilable, as stated in my report

of 20 August 1996 (S/1996/674). The Frente POLISARIO invokes the compromise proposals presented in my reports of 28 July 1993 (S/26185) and 10 March 1994 (S/1994/283) that applicants should be members of "a Saharan subfraction included in the 1974 census", and maintains that the contested tribal groups H (Tribus del Norte), I (Chorfa) and J (Costeras y del Sur) are not composed of "subfractions" in the accepted meaning of the term. From these groups it would accept for identification only individuals who were themselves included in the census. The Government of Morocco insists, to the contrary, that the contested groups are like other subfractions and were treated like them for the purposes of the Spanish census, that there can be no basis for treating their members differently from those of other subfractions in the present identification process and that my compromise proposals were not intended to draw such a distinction. It wishes MINURSO to proceed, without prejudice to the Commission's decision, with the identification of all persons whose applications were submitted on time. An additional obstacle to the resumption of the identification process relates to the lists of persons already identified and found eligible to vote. The Frente POLISARIO insists on such lists being made available before the resumption of identification; the Government of Morocco rejects that as an unacceptable departure from the provisions of the settlement plan and as lacking approval by the Security Council.

8. In these circumstances, I concluded last May that it had to be accepted that there could be no early resumption of identification and that the personnel assigned to identification and related duties should not be retained. However, experienced staff who will be required when identification is to resume could be reassigned to MINURSO at short notice. The reduction of Identification Commission personnel has been completed. Some 40 persons left during February and March and a further 43 departed in April and May. The 23 staff members who remained until the end of July in order to close centres, store equipment and prepare and assemble identification archives for transfer to Geneva have left after finishing those tasks and none of the 132 staff members who worked on identification in 1995 remain with MINURSO. This has resulted in a substantial saving.

9. A high-level presence of the Organization of African Unity (OAU) remains in the mission area to ensure continued cooperation with MINURSO. I should like, again, to express my appreciation to OAU for its continuing support for the implementation of the settlement plan.

Exchange of prisoners of war

10. I have been informed by the Governments of Germany and the United States of America that, following an initiative on their part, 66 Frente POLISARIO prisoners of war in Moroccan custody were released on 31 October 1996 with the assistance of the International Committee of the Red Cross (ICRC). It will be recalled in this connection that in November 1995 a total of 185 Moroccan prisoners of war were released by the Frente POLISARIO with the assistance of ICRC and the Governments of Argentina and the United States. I express my appreciation for the efforts of those Member States who have assisted in the two releases.

Release of political prisoners

11. During the reporting period, the Independent Jurist has continued his efforts for the release of political prisoners. After his meetings in early July with the Moroccan authorities in Rabat and representatives of the Frente POLISARIO in Las Palmas, Canary Islands, he returned to the mission area during the last week of August. On 27 August, he visited some of the refugee camps in the Tindouf area and met with officials of the Frente POLISARIO and with a number of sheikhs who provided him with useful information.

12. The Frente POLISARIO also organized a meeting between the Independent Jurist and representatives of the Association of Families of Prisoners and Disappeared Saharans (AFAPREDESA). At the meeting, representatives of the Association gave the Independent Jurist a list of persons said to have "disappeared". The Independent Jurist has compared the list with data in his possession and is in the process of finalizing a list with the cooperation of AFAPREDESA, which has been asked to clarify some of its information. The Frente POLISARIO is expected to endorse the list prior to its being officially communicated, through my Acting Special Representative, to the Moroccan authorities, with whom the Independent Jurist will pursue his efforts.

Repatriation of refugees

13. The Office of the United Nations High Commissioner for Refugees (UNHCR) has continued to monitor developments in the region and has undertaken to review and update on a continuous basis the repatriation plan drawn up in 1991. Updates in logistical estimates have set the cost of the UNHCR repatriation project at almost $50 million. When conditions permit, UNHCR plans to carry out a pre-registration of potential returnees, which is an essential part of the preparatory work for the repatriation operation under the settlement plan. In the meantime, the survey of water resources has been completed, but a planned drilling programme around potential repatriation sites has been put on hold.

14. UNHCR has conducted a series of missions to the Territory, Morocco and Algeria, including the refugee camps in the Tindouf area. It has held discussions with the relevant parties, all of whom pledged their full cooperation and support. In consultation with the Acting Special Representative, it has also undertaken a number of initiatives to complement MINURSO efforts. In addition, it is continuing its assistance programme for the most vulnerable refugees in the camps.

IV. MILITARY AND CIVILIAN POLICE ASPECTS

Military component

15. Pursuant to Security Council resolution 1056 (1996), the military component, headed by Major-General José Eduardo Garcia Leandro (Portugal), has been reduced by 20 per cent, from a strength of 288 military observers in May to 230 by 1 November (see annex I). The reduction was achieved through normal rotations, with the largest reduction taking place in September when the strength was cut from 259 to 232.

16. In spite of this reduction, it has been possible to keep the number of ground patrols at the previous level and to maintain overall operational activities through an increase in helicopter reconnaissance flights. However, as explained in paragraph 18 of my report of 20 August 1996 (S/1996/674), the redistribution of patrols required the transfer of activities from Dougaj team site to Agwanit team site in Sector South (see map attached as annex II). The transfer was completed on 21 July, and Dougaj team site, which had no airstrip, was closed on 8 August. The reduction of manpower in the field also necessitated an upgrading of the communications infrastructure throughout the area of operations. To that end, a communications section of four signals officers has been established (two at Force Headquarters and one at each Sector Headquarters).

17. While the ceasefire continues to hold, MINURSO has noted some technical violations of it, as well as an intensification of military activity on both sides, apparently aimed at ensuring combat readiness as the end of the current mandate period of MINURSO approaches. During August, POLISARIO forces conducted live-fire exercises. On 3 September, POLISARIO military staff at the local level refused to allow MINURSO to monitor one such exercise. The matter was raised with POLISARIO officials, who assured MINURSO of their full cooperation and indicated that action would be taken with regard to the incident. The Royal Moroccan Army (RMA) has also conducted live-fire exercises in all subsectors, maintained defence works, including firing positions and shelters, established ammunition sites and re-equipped and reorganized its units along the berm. The RMA has also conducted air missions and rehearsed air drills from Smara airport.

18. During the reporting period, difficulties arose owing to a lack of cooperation with MINURSO by some RMA officers. On 18 September, the Force Commander met with Moroccan military authorities in Agadir, who stated that appropriate action had been taken against RMA officers who had not cooperated with MINURSO. They also acknowledged the unauthorized movement of weapons in the Smara area and informed the Force Commander that appropriate action had been taken with regard to the unit commander concerned.

19. Both Morocco and the Frente POLISARIO have provided logistic support for MINURSO at the team sites. In this connection, the Frente POLISARIO has repaired the runways at the Agwanit and Tifariti team sites and promised to assist in repairing the runways of Mehaires and Bir Lahlou team sites. For its part, the RMA has repaired the runway at Oum Dreyga team site.

20. The maintenance of the ceasefire can be attributed to the cooperation of the parties, but also to the presence in the field and continuous patrolling activity of the military observers, as well as to the parties' confidence in their impartiality. During the current reporting period, MINURSO has made a special effort to avoid a rise in tension similar to that which occurred towards the end of the last mandate period in May 1996 and which was mentioned in paragraphs 19 and 20 of my report of 20 August. I am gratified, in this regard, that both sides have agreed to the Force Commander's proposal to suspend live-fire exercises with collective and heavy weapons during the months of October and November 1996.

Police component

21. The civilian police component, headed by Lieutenant-Colonel Jan Kleven (Norway), was reduced from a high of 91 in January 1996 to 44 by the end of May, and was then cut further pursuant to the suspension of the identification process, as described in my report of 20 August. It has been necessary to retain nine civilian police officers in order to ensure the security of equipment and computerized information in Laayoune and Tindouf. The civilian police component continues to provide escort and other assistance to MINURSO as necessary.

V. FINANCIAL ASPECTS

22. in its resolution 51/2 of 17 October 1996, the General Assembly appropriated $13,292,500 gross for the operation of the Mission for the period from 1 July to the expiration of its current mandate on 30 November 1996. In the same resolution, the Assembly also appropriated $18,609,500 gross for the maintenance of the Mission for the period from 1 December 1996 to 30 June 1997, to be assessed on Member States at a monthly rate of $2,658,500 gross, subject to the decision of the Security Council to extend the mandate of the Mission beyond 30 November 1996.

23. Therefore, should the Council decide to extend the mandate of MINURSO, as recommended in paragraph 29 below, the cost of maintaining MINURSO will be within the monthly rate indicated in the preceding paragraph.

24. As at 31 October 1996, unpaid assessed contributions to the MINURSO special account for the period since the inception of the Mission to 30 November 1996 amounted to $54.2 million. The total outstanding assessed contributions for all peacekeeping operations as at 31 October 1996 was $1,776.2 million.

VI. OBSERVATIONS

25. Since the beginning of this year, I have kept the situation of MINURSO under close scrutiny, with a view to adjusting its strength and resources to the evolution of the peace process and ensuring that its operations are managed in the most cost-effective manner. It is for this purpose that I have proposed and carried out, with the consent of the Security Council, considerable reductions in the size and functions of MINURSO in the past few months. Following the suspension of the identification process, 240 of the original 410 authorized civilian posts have been withdrawn, leaving only 170. As indicated in paragraph 21 above, the suspension has also permitted a reduction in the civilian police component from 91 officers to 9.

26. In addition, a 20 per cent reduction of the military component has been effected. As a result, that component has now been reduced to the minimum number of military observers needed if MINURSO is to continue to monitor and verify the ceasefire, as required under its present mandate. The reduction of the Identification Commission and the military and civilian police components has also permitted a significant reduction in administrative support posts.

These retrenchments have brought down the costs of the mission by approximately 40 per cent, from an original figure of $48,456,000 per annum to a revised appropriation of $30,132,000 (net). I shall continue to keep the size of the mission under active review to ensure maximum efficiency and cost effectiveness.

27. The intensive efforts of my Acting Special Representative to assist the parties in finding a way to overcome their differences and the presence of the political office and the military observers have helped to reassure both parties of the continuing willingness of the international community to assist them in resolving the problem of Western Sahara. This has been important in ensuring respect for the ceasefire and reducing the danger of a return to hostilities if there is no progress in implementing the settlement plan. It is vital that the ceasefire continues to be respected and I would not recommend any action that could jeopardize the United Nations ability to help ensure that it is maintained.

28. The release of prisoners of war by the Government of Morocco is particularly welcomed and should help promote confidence. Cooperation with the Independent Jurist in the execution of his mandate would also be a step in the same direction. I urge the parties to contribute to further positive measures that can help improve the prospects for a lasting settlement.

29. I also urge the parties to continue cooperating with my Acting Special Representative in his efforts to find a resolution to the outstanding questions concerning the implementation of the settlement plan. In view of the recent indications that the parties are moving forward in this direction, and in order to allow time for further progress, I recommend that the Security Council extend the mandate of MINURSO for a further period of six months, until 31 May 1997, while making it clear that the international community cannot be expected to support the extension of the mandate of MINURSO indefinitely unless there is tangible progress towards the settlement of the question of Western Sahara.

30. I would like to thank my Acting Special Representative and the civilian and military staff of MINURSO for their untiring efforts to move the process forward.

Annex I

COMPOSITION OF THE MILITARY COMPONENT OF THE UNITED NATIONS MISSION FOR THE REFERENDUM IN WESTERN SAHARA

	Current strength		
	Military observers	Support units	Total
Argentina	1		1
Austria	4		4
Bangladesh	6		6
China	16		16
Egypt	11		11
El Salvador	2		2
France	25		25
Ghana	6	7	13 a/
Greece	1		1
Guinea	3		3
Honduras	12		12
Ireland	8		8
Italy	5		5
Kenya	8		8
Malaysia	13		13
Nigeria	3		3
Pakistan	5		5
Poland	3		3
Portugal	6		6
Republic of Korea	0	20	20 b/
Russian Federation	25		25
Tunisia	9		9
Uruguay	13		13
United States of America	15		15
Venezuela	3	—	3
Total	203	27	230

a/ Support units (seven non-commissioned officers).

b/ Medical personnel.

Map No. 3691 Rev. 10 UNITED NATIONS
November 1996

Department of Public Information
Cartographic Section

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GENERAL

S/1996/914
6 November 1996

ORIGINAL: ENGLISH

LETTER DATED 6 NOVEMBER 1996 FROM THE PERMANENT REPRESENTATIVE OF KENYA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you the full text of the communiqué of the regional summit on the crisis in eastern Zaire, held at Nairobi, on 5 November 1996 (see annex).

I should therefore be grateful if you could have the text of the present letter and its annex circulated as a document of the Security Council.

(Signed) Njuguna M. MAHUGU, OGW
Ambassador
Permanent Representative

96-30667 (E) 061196

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Annex

Communiqué of the Nairobi regional summit on the crisis in eastern Zaire, held at Nairobi on 5 November 1996

1. At the invitation of President Daniel T. Arap Moi, Presidents Yoweri Museveni of Uganda, Frederick Chiluba of Zambia, Pasteur Bizimungu of Rwanda, Isaias Afewerki of Eritrea and Benjamin Mkapa of the United Republic of Tanzania, Prime Minister Meles Zenawi of Ethiopia and Ferdinand Oyono, Minister for Foreign Affairs of Cameroon, representing His Excellency Paul Biya, Current Chairman of the Organization of African Unity (OAU), met on 5 November 1996 at Nairobi to deliberate on the conflict in eastern Zaire.

2. Also participating in the Summit were Mr. Salam Ahmed Salim, the Secretary-General of OAU and Mwalimu Julius Nyere, Facilitator of the peace process.

3. The Summit examined recent developments in eastern Zaire, resulting in armed confrontation, and expressed its grave concern at the deteriorating situation in that area and the threat posed to peace and stability in the entire Great Lakes region.

4. The Summit reaffirmed the commitment and solidarity of the countries in the region for the concern about the escalation of the conflict and agreed that an immediate ceasefire should be effected and strictly observed to enable the intensification of diplomatic efforts to achieve lasting peace.

5. The Summit reaffirmed its commitment to the territorial integrity of Zaire in accordance with the OAU Charter and, in particular, the Cairo Declaration of 1964 on territorial integrity and inviolability of national boundaries as inherited at independence and called for non-intervention and an end to cross-border incursions.

6. The Summit further reaffirmed the inalienable rights of all people within the internationally recognized territorial boundaries as stipulated in the OAU Charter on human and people's rights and other international conventions relevant to the rights of citizenship and nationality.

7. Taking cognizance of the plight of the refugees in eastern Zaire, the Regional Summit called for the immediate setting up of safe corridors and temporary sanctuaries inside Zaire to facilitate humanitarian assistance and the repatriation of refugees.

8. The Summit called for the intensification of efforts towards the voluntary repatriation of refugees to Rwanda. To enable the success of this effort, the Summit called for the implementation of the long-standing decision to separate the intimidators and bona fide refugees.

9. The Summit requested the Security Council to take urgent measures to ensure the establishment of safe corridors and temporary sanctuaries by deploying a neutral force. In this connection, the Summit called upon the Secretary-General of the United Nations to work closely with the OAU Secretary-General towards the

realization of this objective. The Summit requested the Secretary-General of OAU to follow up closely the implementation of this decision. The Summit affirmed the readiness of the subregion to make its own contribution to that effect.

10. The Summit directed their Ministers for Foreign Affairs of Kenya, the United Republic of Tanzania and Ethiopia and the representative of the OAU Chairman to follow up closely on the decisions of the Summit.

11. The Summit mandated the four Foreign Ministers to visit Zaire to convey the decisions of this Summit.

12. The Regional Summit expressed its appreciation to President Daniel T. Arap Moi for hosting in Nairobi the Summit on the crisis in Zaire, and to the Government and people of the Republic of Kenya for the warm welcome and hospitality accorded to the delegations.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1996/915
6 November 1996
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 6 NOVEMBER 1996 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 4 November 1996 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq.

I should be grateful if you would have this letter and its annex, the letter of the Minister for Foreign Affairs, circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

96-30745 (E) 071196 071196

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Annex

Letter dated 4 November from the Foreign Minister of Iraq addressed to the Secretary-General

I should like to call your attention to the announcement of the Government of the United States of America, made on 23 September 1996 by Nicholas Burns, official spokesman for the Department of State, that it had decided to grant United States identity documents to a first batch of 2,100 Iraqis. According to a report published in the Turkish newspaper Turkish Daily Times in its issue for 2 October 1996, the spokesman also announced that his Government was considering the evacuation of a large number of persons from northern Iraq, including Iraqi Kurds and Assyrians and other employees of non-governmental organizations, for whom the United States was concerned.

The Government of the United States has carried out evacuations involving a large number of such persons, and they were taken from Iraqi territory to Turkish territory and from there to a base on Guam in the Indian Ocean. This is being done, as is well known, under the supervision of officers of the United States Central Intelligence Agency (CIA) who entered Iraq illegally. Some of them entered the country under the cover of non-governmental relief organizations for the purpose of organizing clandestine operations with a view to undermining the national system of government in Iraq. At the same time, John M. Deutch, Director of Central Intelligence, stated in a hearing before the Intelligence Committee of the United States Senate on 19 September 1996 that the CIA was making Iraq a top-priority target and was endeavouring to change Iraq's regime and its leader, President Saddam Hussein.

The introduction of foreigners into northern Iraq by the United States Government under the cover of engaging in humanitarian relief activities, without the approval of the Iraqi Government and the use of Iraqis for the same purpose, for whatever reason, are to be regarded as violations of the norms of international law and of the customary rules governing consular relations. This is all the more true where such foreigners are introduced into the territory of a sovereign State, namely Iraq, for the purpose of undermining its security, territorial integrity and unity and of changing its political regime or recruiting Iraqi citizens for that purpose. Most if not all of the persons in question were CIA officers or those collaborating with them, and they engaged in actions that cannot be characterized as anything less than aggression in accordance with the Definition of Aggression adopted in 1974 by the General Assembly of the United Nations at its twenty-ninth session. It is thus clear that if the Government of the United States of America can conduct itself in such a manner in a case such as this, it cannot but make use of the details involved in the implementation of Security Council resolutions to advance its schemes and plans for aggression by, inter alia, raising problems from time to time.

It has been established in a manner that leaves no room for doubt that the Government of the United States has made use of organizations of an avowedly humanitarian character, such as relief organizations, as a cover for its intelligence agencies and its conspiratorial and destructive schemes. Can it

not be deduced from this how it will use inspection teams for similar purposes and for raising problems between the teams and Iraq?

Relief and humanitarian assistance operations, of whatever kind and in whatever form, including the dispatch of 'volunteers' or 'officials' from international, and non-governmental and other organizations or the employment of persons who are subjects of the country in question, cannot take place without the approval of the State concerned, which is a sovereign State and a Member of the United Nations. Otherwise such activities constitute an intrusion into the essential internal authority of the State and interference in its internal affairs. States that engage in actions of this kind, under any pretext or on any grounds, humanitarian or otherwise, are to be held internationally responsible inasmuch as there are no exceptions to the principle of non-interference in the internal affairs of States.

The Government of the United States of America, in giving illegal protection to Iraqis who have committed serious crimes against their country and to foreigners (Americans and others) and in introducing them into Iraq illegally in order to achieve illegal goals that jeopardize its security, stability, territorial integrity and political regime, is committing a flagrant violation of the Charter of the United Nations and an act of aggression against an independent Member State of the United Nations and is guilty of blatant interference in its internal affairs.

The illegal and unlawful conduct of the Government of the United States of America against Iraq makes the United States an outlaw State that is in violation of international law and custom. Such illegal actions and those who engage in them must be condemned.

We urge you to require the Government of the United States of America and their partners in these acts, which contravene the rules of international law and the principles of the Charter of the United Nations, to halt the illegal undertakings that threaten the security, sovereignty and territorial integrity of Iraq and to halt its interference in the country's internal affairs. The people of Iraq is being subjected to widespread human suffering that has been caused by the maintenance of the blanket embargo against it and which the Government of the United States itself is endeavouring to prolong by various malicious and questionable means.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1996/916
7 November 1996

ORIGINAL: ENGLISH

LETTER DATED 7 NOVEMBER 1996 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to my letters of 14, 24 and 29 October 1996 to the President of the Security Council regarding developments in eastern Zaire (S/1996/875, S/1996/878 and S/1996/888). Since the last of these letters the situation there has deteriorated dramatically.

More than 1.2 million Burundian and Rwandan refugees and tens of thousands of Zairians have been displaced by the fighting. Most of the refugees have abandoned their camps in the provinces of North Kivu and South Kivu and are moving westwards towards some of the most inhospitable and inaccessible areas in Zaire. Others have found their way to the United Republic of Tanzania and Uganda. Because of the severity of the fighting in and around the main towns and the breakdown of law and order, I was obliged for security reasons to authorize the Office of the United Nations High Commissioner for Refugees (UNHCR) and other humanitarian agencies to withdraw their international staff temporarily to neighbouring countries. Those agencies have established stockpiles of relief supplies and their staff are eager to return but they cannot do so until they are assured of reasonable security conditions and of access to those in need.

Meanwhile, I decided on 5 November, after consultation with the United Nations High Commissioner for Refugees and the heads of other concerned agencies of the United Nations system, to appoint Mr. Sergio Vieira de Mello, Assistant United Nations High Commissioner for Refugees, to serve as Humanitarian Coordinator for the Great Lakes region, pending the recommendations on longer term arrangements for the coordination of the United Nations efforts in the Great Lakes region which I shall receive shortly from my Special Envoy, Mr. Raymond Chrétien.

The international community now faces a situation in which a million or more people are scattered in eastern Zaire beyond the reach of the agencies that can provide them with food and medical care. Unless effective action is taken urgently, many tens of thousands of human beings are going to die of hunger and disease. But this is not only a humanitarian crisis. The events of recent weeks have proved, if proof were needed, that peace and security will not be restored in the Great Lakes region unless the refugee problems created by the

internal conflicts in Burundi and Rwanda are resolved. Urgent humanitarian action is required; but it must also be action that will help to create the necessary conditions for the orderly and secure repatriation of the refugees.

The immediate requirement is to stabilize the situation and to create secure conditions for the delivery of humanitarian assistance to the refugees and displaced persons. This will involve, amongst other things, the securing of airfields and border crossing points and the protection of logistics supply bases in eastern Zaire. It will also involve identifying and protecting accessible locations where the scattered refugees and displaced persons can be concentrated to receive help from the humanitarian agencies.

But this immediate response to the humanitarian emergency will also have to take into account less immediate considerations. All the Governments concerned acknowledge that there is a need for the early repatriation of the refugees. This is also the view of the international community. It will therefore be necessary to ensure that the short-term response does not re-create conditions in which refugees can again be intimidated by those who, for political reasons, do not want them to return to their home countries. On the contrary, the international community's response to this humanitarian crisis must mark the beginning of a programme of repatriation.

It is clear that in the prevailing conditions in eastern Zaire, these objectives cannot be achieved without the deployment, at least for a short period, of an international military force whose mandate would be to ensure the minimum security necessary to permit stabilization of the situation and enable civilian agencies to bring relief to the refugees and start preparing for their repatriation.

I have been considering what options exist for the establishment and deployment of such a force. Three in particular deserve study and have been discussed today with the Secretary-General of the Organization of African Unity (OAU). They are as follows:

(a) The first would be for a group of Member States to decide to establish and contribute to a multinational force and to seek the Security Council's authority to do so. The force would operate under command and control arrangements agreed between the countries contributing to it. This option has been used in a number of cases in recent years. Its great advantage is that it permits the deployment of a well-equipped and well-supported force, with adequate financial backing, more rapidly than if the task was entrusted to the United Nations, while keeping open the possibility for a United Nations force to take over from the multinational force as soon as conditions permit;

(b) The second option would be to deploy a United Nations peacekeeping force. The disadvantage of this option is that, as experience in recent years has shown, the United Nations lacks the capacity to deploy a strong enough force as quickly as is necessary to respond to a crisis of the kind that has beset eastern Zaire. But if the first option was chosen, a United Nations force could, as already stated, subsequently replace the multinational force;

(c) The third option would be the deployment of a regional force. While leaders of the countries in the region have given convincing evidence of their readiness and ability to take political action to address the problems in their region, they have indicated that they would need to be provided with financial and logistical support if they were to mount a substantial military force in the necessary time-scale. The provision of such support would itself, of course, require additional time. During their summit in Nairobi on 5 November, the regional leaders indicated their preference for the Security Council to take urgent steps to deploy a neutral force.

If either the first or second option is chosen, it will be necessary for the organizers of the force to concert closely with OAU and to consult with the countries of the region, especially those in which the force is to be stationed and/or will need facilities. In this connection I am able to report that on 6 November President Mobutu of Zaire informed my Special Envoy, Mr. Raymond Chrétien, that he fully endorsed the decisions of the previous day's regional summit in Nairobi and was agreeable to the deployment of an international force on Zairian territory.

Given the need for urgent action if tens of thousands of lives are to be saved, time is of the essence. This suggests that the best response to the current crisis would be the first option, by which Member States with the necessary capacity would take the lead in putting together a multinational force, in consultation with the Secretary-General of OAU and the regional States concerned, and would seek the Security Council's authorization to deploy it. I therefore welcome the fact that the Security Council is focusing its attention on this option.

I should be grateful, Mr. President, if you would make this letter available to the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1996/917
8 November 1996

ORIGINAL: ENGLISH

LETTER DATED 8 NOVEMBER 1996 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

The members of the Security Council welcome the proposals put forth in the Secretary-General's report of 17 October 1996 (S/1996/858) on the type of assistance the United Nations Observer Mission in Liberia (UNOMIL) could provide in support of the peace process in Liberia. The members of the Council remain concerned, however, that conditions in Liberia may not be right for the implementation of these proposals at this time, given continued insecurity in some parts of the country.

The members of the Council, therefore, encourage the Secretary-General to make all appropriate arrangements necessary to carry out these proposals, including examining methods used in other peacekeeping operations. The Council understands that the Secretary-General will follow the situation in Liberia closely and will not deploy the additional personnel and logistic resources needed to implement these proposals unless the factions take the concrete steps required to fulfil the commitments they have entered into under the revised timetable of the Abuja Agreement.

The members of the Council request the Secretary-General to advise it of any developments in this regard, either in the context of his next report or earlier if necessary.

(Signed) Nugroho WISNUMURTI
President of the Security Council

96-31109 (E) 081196

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1996/918
8 November 1996
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 8 NOVEMBER 1996 FROM THE PERMANENT REPRESENTATIVE OF THE CONGO TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith the text of the statement on the situation in eastern Zaire made in Geneva on 7 November 1996 by H.E. The President of the Republic of the Congo, President of the Economic Community of Central African States and Chairman of the United Nations Standing Advisory Committee on Security Questions in Central Africa.

I should be grateful if you would have the text of this letter and the annex thereto circulated as a document of the Security Council.

(Signed) Daniel ABIBI
Ambassador
Permanent Representative

96-31179 (E) 081196 081196

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Annex

Statement on developments in Zaire by the President of the Economic Community of Central African States and Chairman of the United Nations Standing Advisory Committee on Security Questions in Central Africa

Central Africa is once again the victim of violent and bloody fratricidal fighting affecting the lives and the collective conscience of all the populations of our subregion.

This fighting has already caused the deaths of large numbers of innocent people and forced children, women and old people to take flight, giving rise to images that reflect despair and chaos.

Very recently, during the OAU Summit, held at Yaoundé from 8 to 10 July 1996, the Heads of State and Government of the countries members of the United Nations Standing Advisory Committee on Security Questions in Central Africa met to sign a Non-Aggression Pact.

Upon the completion of the work of this first Summit, the Heads of State of the subregion emphasized the need for States to use bilateral and subregional consultative machinery in order to settle disputes peacefully.

It is to be regretted that, despite many ministerial meetings of our Committee that have repeatedly stressed the importance that the countries of the subregion attach to peace and security with a view to ensuring development and well-being for their populations, the current conflict involves countries members of the Committee.

Accordingly, with a view to preventing our subregion from once again becoming the scene of a new humanitarian tragedy, as Chairman of the United Nations Standing Advisory Committee on Security Questions in Central Africa, I am making a solemn and urgent appeal to the parties to the conflict to bring the hostilities to an end.

I call on them to stand back from the conflict and to do everything within their power to emphasize consultation and dialogue.

To that end:

- The Republic of the Congo, which has the chairmanship of the Committee, offers its good offices with a view to silencing the weapons and ensuring that dialogue is given a chance, in order to restore a lasting peace and re-establish good-neighbourly relations based on mutual trust;

- The Republic of the Congo calls on the States members of the Economic Community of Central African States and of the Committee to make a concrete contribution to all constructive initiatives designed to restore and strengthen peace, brotherhood and mutual trust in the subregion;

- The President of the Economic Community of Central African States and Chairman of the Committee calls on the international community to continue and strengthen its support for humanitarian assistance for the refugees and the populations in the combat zone, with a view to forestalling a disaster.

In view of the urgency and seriousness of the situation, as President of the Economic Community of Central African States and Chairman of the United Nations Standing Advisory Committee on Security Questions in Central Africa, I call on the Heads of State of the countries members of the Economic Community of Central African States to meet as soon as possible in order to consider ways and means at our disposal of helping to bring an end to this tragedy that is striking our subregion.

Issued in Geneva, on 7 November 1996

Pascal LISSOUBA

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1996/919
8 November 1996

ORIGINAL: ENGLISH

LETTER DATED 8 NOVEMBER 1996 FROM THE PERMANENT REPRESENTATIVE OF RWANDA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to inform you, and through you, the members of the Security Council and the entire international community, about the readiness and disposition of the Government of Rwanda to welcome all Rwandan refugees who are in refugee camps under humiliating conditions in Zaire and in other parts of the world.

May I further inform the international community that the Government of Rwanda has made it public, in an appeal to the Rwandan refugees and to the international community, that all Rwandan refugees are warmly welcome in Rwanda.

The text of the appeal by His Excellency Mr. Pasteur Bizimungu, President of the Republic of Rwanda, issued at Kigali on 4 November 1996, states:

"Appeal to Rwandan refugees, the belligerents and the international community

"Rwanda needs the unity of all its people to build a peaceful country, where every Rwandan citizen is accorded his rightful place, with equal rights and responsibilities for everyone. I therefore want to appeal to the refugees to return home. The country is eagerly waiting for you and we are fully prepared. There is no reason why you should continue to languish in refugee camps, suffering the humiliation of exile. Your home is right here in your country, and that is where you belong.

"I am also appealing for an immediate ceasefire, to allow for the smooth-running of the humanitarian action, in an atmosphere of freedom where everybody can make appropriate decisions for his future.

"For those assisting us, particularly the international community, we are waiting for authentic gestures of solidarity in this undertaking. We are calling upon you to join us in this process of the repatriation and resettlement of our compatriots. We are appealing for a joint action to be carried out with full dignity and respect for our people returning home."

The Government of Rwanda would like to dismiss the impression that has been created to the effect that Rwandan refugees cannot return. In this regard, we would like to state that according to our records more than 2.1 million refugees have returned to Rwanda since 1994 and they are happily settled in their respective communities inside Rwanda. Sources of the Office of the United Nations High Commissioner for Refugees (UNHCR) indicate that between 1.4 million and 1.6 million refugees have already come back to Rwanda since 1994.

In view of the above appeal by the President of the Republic of Rwanda and taking into consideration the plight of the remaining refugees in exile, the Government of Rwanda is now working very closely with UNHCR and other United Nations agencies in Kigali in order to prepare for convoys of returning refugees at the Rwanda/Zaire border.

We appeal to the international community to provide humanitarian assistance to the returning refugees inside Rwanda, including the provision of housing, medicine and other requirements necessary for rehabilitation.

I would be grateful if you would circulate this letter as a document of the Security Council.

(Signed) Gideon KAYINAMURA
Ambassador
Permanent Representative
of Rwanda to the United Nations

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1996/920
8 November 1996
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 8 NOVEMBER 1996 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF ZAIRE TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to confirm that, in accordance with the wish expressed by the President of the Republic of Zaire, Zaire hereby agrees to the deployment of a multinational force, pursuant to Chapter VII of the Charter of the United Nations, in order to address the grave humanitarian situation in eastern Zaire.

The Government of Zaire agrees with the Secretary-General that option (a) should be chosen, supplemented, if necessary, with option (b), as indicated in the letter dated 7 November 1996 from the Secretary-General addressed to the President of the Security Council (S/1996/916).

(Signed) Khabouji LUKABU
Deputy Permanent Representative
Chargé d'affaires a.i.

96-31173 (E) 081196

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Annex

Message from Deputy Prime Minister Kititwa

With reference to your handwritten note of 6 November 1996 concerning the draft resolution submitted by Germany and amended by France which is before the Security Council, I have the honour to inform you that the Council of Ministers, at its meeting on Friday, 8 November 1996, endorsed the decision taken by the President of Zaire agreeing to the deployment of a neutral multinational force in the Great Lakes region. The Council of Ministers understands that the force is to be a peacekeeping force in accordance with Chapter VII of the Charter of the United Nations, particularly insofar as the immutability of the borders inherited from the colonial period is concerned. This force must be of a limited duration and must be deployed along the borders inherited from the colonial period. It is the understanding of the Council of Ministers that the corridors will be the roads taken by Rwandan and Burundi refugees from Zaire to their respective countries, as Zaire intends to use these corridors to carry out the immediate repatriation of Rwandan and Burundi refugees. With regard to humanitarian assistance, the Council of Ministers has specified that it must be provided both to Rwandan and Burundi refugees and to displaced Zairians. Assistance to Rwandan and Burundi refugees must be distributed in Rwanda and Burundi. Assistance to displaced Zairians must pass through Zaire and be distributed by non-governmental organizations in collaboration with the Zairian Administration. Zaire also expects that the international community will strongly and unequivocally condemn the perpetrators of the aggression and unjust war imposed on eastern Zaire. Zaire calls on the United Nations to order Rwanda and Burundi to withdraw their troops from occupied Zairian territory, in accordance with the relevant provisions of the Charter of the United Nations and the Charter of the Organization of African Unity, and strongly to condemn the murderers of soldiers from the Zairian security contingent in the camps under United Nations mandate and the massacre of innocent civilians.

Jean-Marie KITITWA TUMANSI
Deputy Prime Minister and
Minister for Foreign Affairs

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1996/921
9 November 1996
ENGLISH
ORIGINAL: ENGLISH AND FRENCH

Draft resolution

The Security Council,

Gravely concerned at the deteriorating situation in the Great Lakes region, in particular eastern Zaire, and at the effect of the continued fighting on the inhabitants of the region,

Recalling the statement of the President of the Security Council on the situation in the Great Lakes region of 1 November 1996 (S/PRST/1996/44) and the letters dated 14 and 24 October 1996 from the Secretary-General to the President of the Council (S/1996/875 and S/1996/878),

Particularly concerned at the humanitarian situation and the large-scale movements of refugees and internally displaced persons,

Deeply concerned at the obstacles to the efforts of all international humanitarian agencies to provide relief and assistance to those in need,

Stressing the need to address, as a matter of urgency, the humanitarian situation, and in this context, underlining the necessity to adopt, in consultation with the States concerned, measures necessary in order to enable the return in the region of humanitarian agencies and to secure the prompt and safe delivery of humanitarian assistance to those in need,

Having considered the letter dated 7 November 1996 from the Secretary-General to the President of the Council (S/1996/916),

Welcoming the regional efforts which are aimed at reducing tension in the region, in particular the contribution made by the regional leaders at their meeting in Nairobi on 5 November 1996,

Noting the letter dated 6 November 1996 from the Permanent Representative of Kenya to the Secretary-General, which contains the communiqué of the Nairobi regional summit on the crisis in eastern Zaire (S/1996/914),

Taking note of the request addressed to the Council by the regional leaders at their meeting in Nairobi on 5 November 1996, to take urgent measures to ensure the establishment of safe corridors and temporary sanctuaries by deploying a neutral force,

Taking note also that the regional leaders called for an intensification of efforts towards the voluntary repatriation of refugees to Rwanda,

Expressing its intention to respond positively on an urgent basis to those requests,

Bearing in mind the reaffirmation by the Nairobi regional summit of its commitment to the territorial integrity of Zaire and stressing the need for all States to respect the sovereignty and territorial integrity of the States in the region in accordance with their obligations under the Charter of the United Nations,

Underlining the urgent need for the orderly and voluntary repatriation and resettlement of refugees, and the return of internally displaced persons, which are crucial elements for the stability of the region,

Reiterating its support for the Special Envoy of the Secretary-General, and underlining the need for all Governments in the region and parties concerned to cooperate fully with the mission of the Special Envoy,

Welcoming the efforts of the mediators and representatives of the Organization of African Unity (OAU), the European Union and the States concerned, and encouraging them to coordinate closely their efforts with those of the Special Envoy,

Underlining the urgent need for an international conference on peace, security and development in the Great Lakes region under the auspices of the United Nations and the OAU to address the problems of the region in a comprehensive way,

Taking note of the letter dated 8 November 1996 from the Chargé d'affaires of Zaire to the President of the Council (S/1996/920),

Determining that the magnitude of the present humanitarian crisis in eastern Zaire constitutes a threat to peace and security in the region,

A

1. Condemns all acts of violence, and calls for an immediate ceasefire and a complete cessation of all hostilities in the region;

2. Calls upon all States in the region to create the conditions necessary for the speedy and peaceful resolution of the crisis and to desist from any act that may further exacerbate the situation, and urges all parties to engage in a process of political dialogue and negotiation without delay;

3. Reaffirms its commitment to the establishment of conditions conducive to the voluntary repatriation of refugees to their country of origin as a crucial element for the stability of the region;

4. Calls upon all States to respect the sovereignty and territorial integrity of the States in the region in accordance with their obligations under the Charter of the United Nations;

5. Calls upon all those concerned in the region to create favourable and safe conditions to facilitate the delivery of international humanitarian assistance to those in need and to ensure the safety of all refugees as well as the security and freedom of movement of all international humanitarian personnel;

B

6. Welcomes the Secretary-General's letter dated 7 November 1996 including in particular his proposal that a multinational force be set up for humanitarian purposes in eastern Zaire;

7. Strongly urges Member States, on an urgent and temporary basis and in cooperation with the Secretary-General and with the OAU, to prepare the necessary arrangements, in consultation with the States concerned, to allow the immediate return of humanitarian organizations and the safe delivery of humanitarian aid to displaced persons, refugees and civilians at risk in eastern Zaire, and to help to create the necessary conditions for the voluntary, orderly and secure repatriation of refugees;

8. Requests the Member States concerned to report to the Council through the Secretary-General on those arrangements as soon as possible to enable the Council to authorize the deployment of the multinational force referred to above upon receipt of the report, which will inter alia reflect the results of the consultations with the States concerned in the region, and bearing in mind the need to ensure the security and freedom of movement of the personnel of the multinational force referred to in paragraph 6 above;

9. Decides that the cost of implementing such an operation will be borne by the participating Member States and other voluntary contributions, and encourages all Member States to contribute to the operation in any way possible;

C

10. Requests the Secretary-General, in consultation with his Special Envoy and the coordinator of humanitarian affairs, with the United Nations High Commissioner for Refugees, with the OAU, with the Special Envoy of the European Union and with the States concerned:

(a) To draw up a concept of operations and framework for a humanitarian task force, with military assistance if necessary, drawing initially on immediately available contributions from Member States, with the objectives of:

- Delivering short-term humanitarian assistance and shelter to refugees and displaced persons in eastern Zaire;

- Assisting the United Nations High Commissioner for Refugees with the protection and voluntary repatriation of refugees and displaced persons;

- Establishing humanitarian corridors for the delivery of humanitarian assistance and to assist the voluntary repatriation of refugees after carefully ascertaining their effective will to repatriate;

(b) To seek the cooperation of the Government of Rwanda in, and to ensure international support for, further measures, including the deployment of additional international monitors, as appropriate, to build confidence and ensure a safe return of refugees;

(c) To report to the Council with recommendations no later than 20 November 1996;

11. Calls on the OAU, the States of the region and other international organizations to examine ways in which to contribute to and to complement efforts undertaken by the United Nations to defuse tension in the region, in particular in eastern Zaire;

12. Expresses its readiness to examine without delay the recommendations that the Secretary-General might submit in this regard;

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13. Invites the Secretary-General, on an urgent basis and in close consultation with the Secretary-General of the OAU, and with the States concerned, and in the light of the recommendations of his Special Envoy, to determine the modalities of the convening of an International Conference for peace, security and development in the Great Lakes region and to make all necessary arrangements to convene such a conference;

14. Decides to remain actively seized of the matter.